

AMENDED IN SENATE APRIL 22, 2004

SENATE BILL

No. 1135

Introduced by Senator Chesbro and Aanestad
(Coauthor: Assembly Member Berg)

January 20, 2004

An act to add *and repeal* Section 35401.9 to the Vehicle Code, relating ~~to~~ *of* vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1135, as amended, Chesbro. Motor carriers: limitation of access: exemption.

Existing law authorizes the establishment of limited highway access to terminals or services by the Department of Transportation and cities and counties.

This bill would exempt licensed carriers of flowers; *or* ornamental plants; ~~or related products~~ from established limitations of access when those carriers are engaged in certain activities under specified conditions and on specified portions of State Highway Route 101, if the travel is necessary and incidental to the shipment of those flowers; *or* ornamental plants; ~~or related products~~. The bill would allow the exemption only if certain conditions are met.

These provisions would be repealed on January 1, 2006.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 35401.9 is added to the Vehicle Code,
2 to read:

1 35401.9. (a) The limitations of access specified in
2 subdivision (d) of Section 35401.5 do not apply to licensed carriers
3 of flowers, ~~ornamental plants, or related products~~ *or ornamental*
4 *plants* when those carriers are directly enroute to or from a point
5 of loading or unloading of flowers, ~~ornamental plants, or related~~
6 ~~product~~ *or ornamental plants* on those portions of State Highway
7 Route 101 located in the Counties of Del Norte, Humboldt, and
8 Mendocino from its junction with State Highway Route 1 near
9 Leggett north to the Oregon border, if the travel is necessary and
10 incidental to the shipment of the ~~flowers, ornamental plants, or~~
11 ~~related products~~ *flowers or ornamental plants*.

12 (b) The exemption allowed under subdivision (a) does not
13 apply unless all of the following conditions are met:

14 (1) The length of the truck tractor, in combination with the
15 semitrailer used to transport the flowers, ~~ornamental plants, or~~
16 ~~related products~~ *or ornamental plants*, does not exceed a total of
17 70 feet.

18 (2) The distance from the kingpin to the rearmost axle of the
19 semitrailer does not exceed 40 feet.

20 (3) *The kingpin and rearmost axle of the semitrailer are set in*
21 *the most forward position.*

22 (c) The exemption allowed under subdivision (a) does not
23 apply to travel conducted on the day prior to, or on the day of, any
24 federally recognized holiday.

25 (d) *This section shall remain in effect only until January 1,*
26 *2006, and as of that date, is repealed, unless a later enacted statute*
27 *that is enacted before January 1, 2006, deletes or extends that date.*

